Student Records – Challenging Content and Access Log **AP 5045**

Reference: ***Education Code Sections 76222 and 76232; Title 5 Section 54630***

Challenging Content

Any student may file a written request with the Assistant Superintendent/Vice President of Student Services or designee to correct or remove information recorded in his or her student records that the student alleges to be:

1. inaccurate;
2. an unsubstantiated personal conclusion or inference;
3. a conclusion or inference outside of the observer's area of competence; or
4. not based on the personal observation of a named person with the time and place of the observation noted.

Within 30 days of receipt of the request, the Assistant Superintendent/Vice President of Student Services or designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Assistant Superintendent/Vice President of Student Services or designee shall then sustain or deny the allegations.

If the Assistant Superintendent/Vice President of Student Services or designee sustains any or all of the allegations, he/she shall order the correction or removal and destruction of the information. If the Assistant Superintendent/Vice President of Student Services or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the Superintendent / President. If the Superintendent / President denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the Board of Trustees.

Within 30 days of receipt of an appeal, the Governing Board shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the Superintendent/President or his/her designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.

If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his/her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or

any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

Access Log

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.
- The log or record shall be open to inspection only by the student and the Assistant Superintendent/Vice President of Student Services or designee, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

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